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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 NORTH SEVENTEENTH STREET
SUITE 1800
ARLINGTON, VA 22209-9889

EXAMINER

UBILES, MARIE C

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 03/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/005,356

Applicant(s)

POIKSELKA ET AL.

Examiner

Marie C. Ubiles

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 December 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☒ Claim(s) 17 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. Claim 17 is objected to because of the following informalities: a typographical error, "memeory", in line 1. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Faccin et al (US 6,571,092).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

As for claim 1, Faccin et al. teaches a method for enabling an emergency call callback of a mobile terminal (i.e. equipment) which does not have a SIM card (i.e. a

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method for enabling a callback from an entity to an equipment initiating a session)(See *Background, Col. 1, lines 13-15*), an emergency call is placed by a mobile terminal (i.e. equipment) into the PSAP/Emergency Center (i.e. entity) and an active PDP context request is forwarded from the mobile terminal to the SGSN (i.e. node) to the GGSN (i.e. node), the GGSN allocates an IP address (i.e. address) to the calling mobile terminal, and the SGSN stores the association between the temporary ID and PDP context and the IP address (i.e. wherein the entity and/or nodes involved in handling the session, store information for the session, the information including an address of at least one other node in the signaling path)(See *Detailed Description, Col. 3, lines 20-28*), and in case the call is dropped between the called party and the caller, the SGSN (i.e. node) locates the previously stored ID for the user and starts the paging with the ID, the paging is forwarded to the calling mobile terminal, the mobile terminal responds and the call between the mobile terminal and the PSAP/Emergency Center (i.e. entity) takes place again (i.e. the at least one other node in case of callback being used to carry signaling related to callback from the entity to the equipment)(See *Detailed Description, Col. 3, lines 43-55*).

As for claim 2-3, Faccin et al. discloses an emergency call (i.e. session) into a PSAP/Emergency center being dropped for any reason. (i.e. wherein the entity is an emergency center, and the session is an emergency session) (See *Detailed Description, Col. 2, lines 12-17*).

As for claim 4, it is inherent from Faccin's et al. system that the information received from the mobile terminal when making an emergency call to the PSAP will be

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stored for a pre-determined amount of time, so that the PSAP can perform initiate a callback if the call is accidentally dropped (i.e. wherein the information for the session is stored for a predetermined time after the session initiation).

As for claim 5, Faccin et al. discloses that the CSCF allocates a CBN (or call back number) for a non-registered mobile terminal (i.e. equipment) by associating the CBN to the IP address provided by the mobile terminal during a call setup. (i.e. wherein the information includes the identity of the equipment)(See *Detailed Description, Col. 2, lines 30-33*).

As for claims 6 and 19, Faccin et al. discloses that when placing an emergency call (i.e. session) from the mobile terminal (i.e. equipment), an active PDP context request from the mobile terminal to the SSGN (i.e. node), and from the SSGN to the GGSN (i.e. node) , the GGSN allocates an IP address to the calling mobile terminal, and the SSGN stores the association between the temporary ID and PDP context and the IP address (i.e. wherein the information is received when receiving a message from the equipment or another node for initiating a session, and wherein the nodes are adapted to store the information when receiving a message from the equipment or another node for initiating a session)(See *Detailed Description, Col. 3, lines 20-28*).

As for claims 7 and 9, Faccin et al. discloses the use of CSCF (i.e. P-CSCF and S-CSCF) to act as an interface with the GGSN/SGSN (i.e. IMS nodes) and the rest of the system (i.e. wherein the nodes are IMS nodes and include P-CSCF, S-CSCF, or MGCF node)(See *Detailed Description, Col. 2, lines 44-51*). It is inherent from the use of a CSCF that the message will be a SIP message, as functions of the P-CSCF include

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the forwarding of SIP messages received from a mobile terminal. (i.e. wherein the message is a SIP message).

As for claim 8, the limitation, wherein the signalling bearer for establishing the session is maintained for a predetermined time from the beginning of the signalling bearer activation, may be read into the time that takes the mobile terminal to establish contact with the PSAP.

As for claim 10, it is inherent from Faccin's et al. system that the nodes include a timer for measuring the predetermined time, as it is well known in the art, that a timer is set for the old PDP Context allowing packets arriving at the old GGSN to be forwarded to the user. If this timer is set to zero, the PDP Context at the old GGSN is deleted immediately after the new PDP Context is created (i.e. the nodes include a timer for measuring the predetermined time).

As for claim 11, Faccin et al. discloses that a call setup for call back is arranged between the PSAP and the mobile terminal if the call (i.e. session) is dropped for any reason and the PSAP wishes to call back the mobile terminal. (i.e. if the session is released before normal completion thereof, the entity starts a callback procedure)(See *Detailed Description, Col. 2, lines 56-61*).

As for claim 12, while Faccin et al. do not mention that the entity is in the switched circuit domain, it is well known in the art that the PSAP exists as part of the Public Switched Telephone Network; thus it is inherent that the entity is in the CS domain. (i.e. wherein the entity is in CS domain).

As for claims 13, 26 and 28, it is inherent for this type of system, to carry the equipment identity in the Calling Line Parameter of the ISUP message to the Signaling Gateway. (i.e. wherein the equipment identity is carried in the Calling Line parameter of the ISUP message to a Signaling Gateway).

4. Claims 14, 15, 16, 17, 18, 20, 21, 22, 23/27, 24 and 25 are apparatus claims that correspond directly to method claims 1, 2, 3, 4, 5, 7, 8, 9, 10, 11 and 12, respectively, and therefore are rejected under the same rationale.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Malik (US 5,943,409) teaches a method and system for providing automatic recall information in a telecommunications network.

Martinez (US 6,332,022) teaches a method and apparatus for routing emergency services calls in an intelligent network.

Stumer et al. (US 2002/0136363) teaches methods and apparatus for transmitting accurate emergency location identification number after an emergency caller disconnects.

Maupin et al. (US 5,689,548) teaches emergency call back using MSC numbers.

Maupin et al. (US 5,712,900) teaches emergency call back for roaming mobile subscribers.

Boeckman et al. (US 6,075,853) teaches an apparatus and method for intelligent call routing and call return.


Bos et al. (*IEEE Network*, January 2001) teaches an all-IP-based UMTS system architecture.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marie C. Ubiles whose telephone number is (703) 305-0684. The examiner can normally be reached on 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is (703) 862-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Marie C. Ubiles
March 19, 2004


AHMAD F. MATAR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2700